

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
NO: 7:01-CR-00113-BR

UNITED STATES OF AMERICA

v.

HARRELL LEROY LOCKLEAR

)
)
)
)
)
)
)

ORDER

This matter is before the court on defendant's letter dated 5 September 2013. (DE # 55.)

In the letter defendant requests that the court consider him for non-medical compassionate release under 18 U.S.C. § 3582. The court construes the letter as a motion for modification of defendant's term of imprisonment pursuant to § 3582(c)(1)(A)(i). That statute permits the court, on motion of the Director of the Bureau of Prisons ("BOP"), to reduce a term of imprisonment upon a finding of "extraordinary and compelling reasons [to] warrant such a reduction." 18 U.S.C. § 3582(c)(1)(A)(i). Because it is defendant himself, not the Director of the BOP, who seeks release from imprisonment, the motion is DENIED. See Shemami v. Revell, No. 5:12-HC-2133-FL, 2013 WL 1164510, at *2 (E.D.N.C. Mar. 20, 2013) ("Courts consistently have denied motions seeking compassionate release unless they are filed by the Director of the BOP." (citations omitted)), aff'd, No. 13-6658, 2013 WL 5457985 (4th Cir. Oct. 2, 2013).

This 15 October 2013.



W. Earl Britt
Senior U.S. District Judge